

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

TIMOTHY E. McCRARY,

Plaintiff,

v.

JUSTIN JONES, et al.,

Defendants.

Case No. CIV-13-573-M

ORDER

On July 9, 2013, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that the Court deny plaintiff's request for *in forma pauperis* status and dismiss this action without prejudice unless plaintiff fails to pay the \$350.00 filing fee within 20 days of an order adopting the Report and Recommendation. Plaintiff was advised of his right to object to the Report and Recommendation by July 29, 2013. Plaintiff has timely filed his objection.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on July 9, 2013;
- (2) DENIES plaintiff's Application for Leave to Proceed *In Forma Pauperis* [docket no. 6]; and
- (4) DISMISSES this action without prejudice unless plaintiff pays the full \$350.00 filing fee on or before August 20, 2013.

IT IS SO ORDERED this 31st day of July, 2013.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE